

been—he should say so and explain why. If he made mistakes, he should admit them. Bluster and bravado will not suffice. He must put to rest any suspicions that Americans accepted an argument for war that was built on a lie.

INTRODUCTION OF THE EMERGENCY DIRECTED RAIL SERVICE ACT

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2003

Mr. YOUNG of Alaska. Mr. Speaker, today, I introduce the Emergency Directed Rail Service Act. We have now reached a point almost exactly one year after Amtrak's last shutdown threat. Only an emergency "loan" under the otherwise crippled Railroad Rehabilitation Finance (RRIF) program and an emergency appropriation prevented Amtrak from shutting down, stranding thousands of commuters on and off the Northeast Corridor, and ending freight service on the Corridor. (The "loan"—supposedly for 90 days—has not been repaid to this day.)

Based on last year's threat, I introduced an earlier version of this bill, to provide a "safety net" of emergency directed service powers under the auspices of the Surface Transportation Board if Amtrak did shut down. Such a threat is still present. Amtrak has pending funding requests far in excess of the President's budget request and has made no significant structural or financial changes in the last year. Thus the nation's commuter railroads and freight service on the Northeast Corridor are still hostages to a new shutdown threat.

This legislation is intended to prepare the nation for the possibility that Amtrak will either repeat its prior threat, or that Amtrak's precarious financial situation will cause an involuntary cessation of service. This bill is part of my effort to make sure the country is as prepared as possible should any such shutdown occur.

I am particularly concerned about the effect on freight movements in the Northeast and on commuter operations around the country and consequently on our national economy. An Amtrak shutdown could adversely affect the economy in the Northeast United States, because considerable freight would not be able to get to its destination—especially plants where the Northeast Corridor is the only rail access. Moreover, commuters in the Northeast and around the country may not be able to get to work, either because the commuter authority operates on Amtrak infrastructure or because the commuter authority uses Amtrak employees to operate or maintain its trains.

Last year, before introducing the predecessor of this bill, I wrote to Linda Morgan, the then Chairman of the Surface Transportation Board, and asked whether the Board had the power to direct freight and commuter service that would be adversely affected by an Amtrak shutdown. Ms. Morgan responded that the STB was unclear whether it would have the power to direct freight and commuter service in the event of an Amtrak shutdown and that its emergency powers have "never been test-

ed before in this context . . . and . . . could be challenged in court."

This country needs someone to have the power to address the fallout on freight railroads and commuters if Amtrak shuts down. The legislation I introduce today does just that. It makes it clear that the STB has the authority it needs to act in the event Amtrak ceases service.

In particular, the bill would give the STB the authority to order the continued maintenance, signaling, and dispatching of the Northeast Corridor. It would give the STB the authority to use federal funds to compensate the entity that conducts these services and to indemnify it with respect to any increased liability exposure. It would also authorize the STB to direct service and to provide interim financial assistance to commuter operations around the country affected by an Amtrak shutdown.

Further, current law requires that to the extent possible the Amtrak employees who already perform the work should do the work required by the directed service. The bill I introduce today would not change that requirement.

The nation may have narrowly avoided a rail transportation crisis last year, but there is no guarantee that we will not see a recurrence. Given the precarious financial situation of Amtrak, it would be irresponsible not to put a "safety net" of appropriate emergency powers in place. If Amtrak manages to recover, this legislation will prove to be very inexpensive insurance under which no claim had to be made. But if Amtrak shuts down, having this insurance in place will prove to be the wisest of investments.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2004

SPEECH OF

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 2003

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2658) making appropriations for the Department of Defense for the fiscal year ending September 30, 2004 and for other purposes:

Mr. UDALL of New Mexico. Mr. Chairman, I rise today in support of the very important FY04 Department of Defense appropriations bill. In my opinion, some of the most important provisions in this bill are the pay increases for our men and women in uniform. H.R. 2658 provides an average pay increase of 4.1 percent for military personnel in FY 2004 and provides targeted pay hikes of up to 6.3 percent for a variety of other personnel.

Another issue of great importance also included in this appropriations bill is funding for the BRAC process. From 1995 to 2000 Congress intentionally refused to authorize another round of BRAC. Only in late 2001 did the Senate add the controversial provision to the FY02 Defense Authorization Act, authorizing the fifth BRAC for 2005. The House-passed authorization bill did not include any such BRAC provision, but in December 2001, the House finally approved the Conference

Report to the FY02 Defense Authorization bill with the Senate's BRAC provision included.

The first significant steps in implementing the new 2005 base closure law were formally announced by Secretary Rumsfeld on November 15, 2002. These included development of a force structure plan, conducting a comprehensive inventory of military installations, and establishing criteria for selecting bases for closure or realignment. Secretary Rumsfeld further stated that he felt another round of base closures would be necessary in light of his efforts to undergo a military transformation to a quicker, sleeker fighting force.

Although I have not found much common ground recently with the President and Secretary Rumsfeld, in this case I do. As such, I plan to vote against Mr. HOSTETTLER's amendment to preclude the use of funds provided by this bill to proceed with the BRAC process. In addition, the veto threat issued by the President if this amendment passes should be heeded considering the importance of the funding for the DOD.

With that said, I would like to take this opportunity to express my strong support for Cannon Air Force Base, located in my district. Not only do I strongly support Cannon remaining open through the 2005 round of closings, but I have every confidence that it will, in fact, remain open.

Cannon Air Force Base and the men and women who serve there are an integral part of New Mexico, the Clovis community immediately surrounding it, and an integral component of our national defense. In addition, Cannon's pilots have an excellent training space, the Melrose Bombing Range, very close by. Cannon has no encroachment, and is surrounded by open space.

In the past, I have worked very hard to ensure that Cannon's facilities are worthy of the high-caliber personnel who use them. I have worked with my colleagues in the New Mexico delegation to secure funding through the Military Construction Appropriations bill for several worthy projects at the base. I have every intention of continuing to work to secure funding for the facilities there that are currently substandard to further shield this important component of our national defense from being closed.

Mr. Chairman, for the reasons I have outlined above, I will vote against Mr. HOSTETTLER's amendment. I urge my colleagues to do the same. However, I do support passage of the underlying bill, as it provides important funding for our brave men and women in the Armed Forces.

IN HONOR OF THE 20TH ANNIVERSARY OF ESPERANZA, INC. AND THEIR 13TH ANNUAL FIESTA OF HOPE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2003

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Esperanza, Inc. of